



Federal Communications Commission
Consumer & Governmental Affairs Bureau
Washington, D.C. 20554



September 17, 2013

Michael Morisy
MuckRock News
Dept MR 6555
PO Box 55819
Boston, MA 02205-5819

FOIA No. 2013-516

Dear Mr. Morisy:

This letter responds to your recent Freedom of Information Act (FOIA) request received by the Federal Communications Commission (FCC or Commission) and assigned to the Consumer & Governmental Affairs (CGB) and Enforcement (EB) bureaus by the Commission's FOIA Office on August 27, 2013. Your request seeks copies of all complaints received by the FCC regarding the MTV broadcast of the Video Music Awards on Sunday, August 25, 2013.

My staff conducted a search of the databases containing informal complaints and identified one hundred and sixty (160) complaints responsive to your request. Copies of the responsive documents are enclosed. The Enforcement Bureau found no other documents responsive to your request.

All personal identifying information relating to the individuals who submitted or are named in the enclosed complaints or inquiries has been redacted based on Exemption 6 of FOIA, which permits agencies not to disclose files that would clearly invade personal privacy.¹ Some FCC employee names have also been redacted based on Exemption 2 of FOIA, which permits agencies not to disclose internal personnel rules and practices.²

The FCC receives many complaints and comments that do not involve violations of the Communications Act or any FCC rule or order. Thus, a complaint or comment does not necessarily indicate any wrongdoing by any individuals or entities named in the complaint or comment.

FOIA and FCC rules require the FCC to charge requesters for time spent searching for and reviewing responsive documents, and for copying them.³ Based on your

¹ 5 U.S.C. § 552 (b)(6); *see also* 47 C.F.R. § 0.457(f).

² 5 U.S.C. § 552(b)(2); *see also* 47 C.F.R. § 0.457(b).

³ 5 U.S.C. § 552(a)(4)(A)(i); 47 C.F.R. § 0.470.

classification as a representative of the news media, you are responsible only for the payment of duplication costs beyond the first 100 pages. We are providing you with approximately 160 pages of records, resulting in copying charges of \$6.00 (160 pages less 100 pages @ \$0.10 per page). Because the duplication charges would likely be less than the routine cost of collecting the fee, we have decided not to assess any fee.⁴ Because preparing the response to your request falls within these limits, there is no charge for processing your request.

If you think this response denies your FOIA request, you may file an application for review of this decision with the FCC's Office of the General Counsel within 30 days.⁵ Both the application and envelope containing it must be marked "Review of Freedom of Information Action" and the application should refer to FOIA Control No. 2013-516.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nancy Stevenson", with a long horizontal flourish extending to the right.

Nancy Stevenson
Deputy Chief
Consumer Policy Division
Consumer & Governmental Affairs Bureau

Enclosures

⁴ 47 C.F.R. § 0.465(b)(2).

⁵ 47 C.F.R. § 0.461(j).